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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
1011 PHILIP MARTINET, individually and on) Civil No.08cv0381 L (AJB)
12 behalf of all others similarly situated,)
13 Plaintiff,) ORDER FOLLOWING EARLY
14 v.) NEUTRAL EVALUATION
15) CONFERENCE
16 T-MOBILE USA, INC., a Delaware)
Corporation,)
Defendants.)
_____)17 On September 3, 2008, the Court convened an Early Neutral Evaluation Conference in the above
18 entitled action. Appearing were Mark Knutson, Esq., Joe Dicks, Esq. and Philip Martinet on behalf of
19 plaintiff; Jared Toffer, Esq., Meryl L. Young, Esq. and Melissa Scanlan on behalf of defendant.20 Settlement could not be reached. An issue with regard to Mr. Martinet's standing exists and
21 plaintiff's counsel will review the information provided at the conference and consider their position in
22 this regard. The Court will hold a telephonic Settlement Status Conference on *September 23, 2008 at*
23 **11:00 a.m.** Plaintiff's counsel will set up the call at that time. At that time, the Court and counsel will
24 discuss the issue as to standing, and what scheduling or procedures would be best going forward.

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1 In the interim, defendant will provide the scripts and notice program information to plaintiff's
2 counsel. This information will be provided as confidential, and plaintiffs will not disclose, disseminate
3 or distribute the information pending further Court order.

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5 IT IS SO ORDERED.

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7 DATED: September 4, 2008

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9 Hon. Anthony J. Battaglia
U.S. Magistrate Judge
United States District Court

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